

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:14-cv-954-LCB-JLW**

STUDENTS FOR FAIR ADMISSIONS,)
NC.,)
v. Plaintiffs,)
THE UNIVERSITY OF NORTH)
CAROLINA AT CHAPEL HILL, et al.,)
Defendants,)
And)
LUIS ACOSTA, et al.,)
Defendant-Intervenors.)

**DEFENDANT-INTERVENORS' RULE
26(a)(3) PRETRIAL DISCLOSURES**

Defendant-Intervenors hereby make these pretrial disclosures pursuant to Rule 26(a)(3) and the Court's Order (Dkt. 194).

I. Witnesses (Rule 26(a)(3)(A)(i))

A. Witnesses the Defendant-Intervenors expect to present.

1. Dr. Uma Jayakumar
2. Dr. David Cecelski
3. Andrew Brennen
4. Star Wingate-Bey
5. Laura Ornelas
6. Luis Acosta
7. Cecilia Polanco
8. Hanna Watson

9. Kenneth Ward
10. Rimel Mwamba

B. Witnesses the Defendant-Intervenors may call if the need arises.

Any potential witness identified in other parties' pretrial disclosures.

II. Deposition Designations (other than solely for impeachment) (Rule 26(a)(3)(A)(ii))

Defendant-Intervenors make the following deposition designations to be used in the event any of the following witnesses are not otherwise called to testify.

A. Stephen Farmer
40:18-42:17

B. Carol Folt
300:2-301:12

III. Exhibits (Rule 26(a)(3)(A)(iii))

A. Exhibits the Defendant-Intervenors expect to offer (other than solely for impeachment).

1. Expert Report of Dr. Jayakumar (Dkt. 154-21)
2. Expert Report of Dr. David Cecelski (Dkt. 179-14)
3. Declaration of Laura Ornelas (Dkt. 179- 2)
4. Declaration of Luis Acosta (Dkt. 179-3)
5. Declaration of Andrew Brennen (Dkt. 179-5)
6. Declaration of Cecilia Polanco (Dkt. 179-4)
7. Declaration of Hanna Watson (Dkt. 179-7)

8. Declaration of Kenneth Ward (Dkt. 179-10)
9. Declaration of Star Wingate-Bey (Dkt. 179-17)
10. Declaration of Rimel Mwamba (Dkt. 179-23)
11. Declaration of Siena Scarbrough (Dkt. 179-6)
12. Declaration of D'Angelo Gatewood (Dkt. 179-8)
13. Declaration of Lisa-Anne Staton Dyer (Dkt. 179-9)
14. Declaration of Jessica Mencia (Dkt. 179-11)
15. Declaration of Patsy B. Zeigler (Dkt. 179-12)
16. Declaration of Gwenevere Charlene Parker (Dkt. 179-13)
17. Declaration of Valerie Newsome Hayes (Dkt. 179-16)
18. Declaration of Adrian C. Douglass, M.D. (Dkt. 179-18)
19. Declaration of Diandra Anna Kay Dwyer (Dkt. 179-19)
20. Declaration of Alan C. Frazier (Dkt. 179-20)
21. Declaration of Maria Gomez Flores (Dkt. 179-21)
22. Declaration of Shatifa Searles (Dkt. 179-22)
23. Declaration of Pamela Phifer White (Dkt. 179-24)
24. Memorandum Opinion and attached Consent Decree, *North Carolina v. Dep't of Educ.*, No. 79- 217-CIV 5 (E.D.N.C. July 17, 1981)
25. Statement by Governor Bob Scott (Feb. 19, 1970)
26. The Pearsall Plan by the North Carolina Advisory Committee on Education

27. UNC-CH Admissions Application of Andrew Brennen (under seal)
28. UNC-CH Admissions Application of Star Wingate-Bey (under seal)
29. UNC-CH Admissions Application of Laura Ornelas (under seal)
30. UNC-CH Admissions Application of Luis Acosta (under seal)
31. UNC-CH Admissions Application of Cecilia Polanco (under seal)
32. 2010 CIRP Freshman Survey, UNC0350264-UNC0350449.
33. 2016 CIRP Freshman Survey, UNC0351680-UNC0352020.
34. 2016 Undergraduate Diversity and Inclusion Campus Climate Survey (Nov. 2017).
35. 2011-2012 Diversity Plan Report, UNC0283341-UNC0283396.
36. 2012-2014 Diversity Plan Report, UNC0124154-UNC0124193.
37. 2014-2015 Diversity Plan Report (Dkt. 154-47)
38. A Collective Response to Anti-Blackness (Nov. 19, 2015) (Dep. of Carol Lynn Folt (May 31, 2017) at Ex. 14)
39. Commitment to Diversity, University of North Carolina School of Dentistry, <https://www.dentistry.unc.edu/about/diversity/>.
40. Curriculum 2019 - UNC General Education Curriculum Revision, The University of North Carolina Chapel Hill, <http://curriculum2019.web.unc.edu/>.
41. DATAUSA: Ethnic Studies, <https://datausa.io/profile/cip/050200/#demographics>.
42. Dean, James, The Educational Benefits of Diversity and Inclusion for Undergraduate Students at the University of North Carolina Chapel Hill (May 26, 2017), UNC0349694-UNC0349712. (Dkt. 154-34)
43. Email with Copy of Encouraging Student Success at Carolina: The Undergraduate Retention Study (2010-2011), UNC0124077-UNC0124153 (Dep. of Carol Lynn Folt (May 31, 2017) at Ex. 8)

44. Email with Copy of Summary of SERU and 2010 Student Diversity Assessment and Survey Responses, UNC0130765-UNC0130864. (Dep. of Dr. Taffye Benson Clayton (May 24, 2017) at Ex. 13)
45. Diverse Learning Environments Survey, Higher Education Research Institute, <https://heri.ucla.edu/diverse-learning-environments-survey/>.
46. Diversity and Inclusion, University of North Carolina School of Government, <https://www.sog.unc.edu/resources/microsites/diversity-and-inclusion>.
47. The Equity Scorecard: Balancing Educational Outcomes, USC Rossier School of Education, <https://rossier.usc.edu/the-equity-scorecard-balancing-educational-outcomes/>.
48. Foundations and Practices Regarding the Evaluation and Admission of Candidates, Office of Undergraduate Admissions (2016-2017), UNC032603-UNC0323610. (Dkt. 154-39)
49. “General Education Curriculum Revision Update” Presentation, The University of North Carolina Chapel Hill (Nov. 8, 2017),
<http://curriculum2019.web.unc.edu/files/2017/11/public-meeting-20171108.pdf>.
50. General Administration (GA) Senior Report (2012-2013), UNC0352125-UNC0352138.
51. General Administration (GA) Senior Report (2016), UNC0350252-UNC0350263.
52. N.C. Justice Center, Budget & Tax Center Report, Prosperity Watch 76, no. 1 (July 2017), <http://www.ncjustice.org/?q=budget-and-tax/prosperity-watch-issue-76-no-1-nc-and-us-growing-more-diverse-general-assembly-isnt>.
53. Office of Instructional Innovation: Office Overview, The University of North Carolina at Chapel Hill, College of Arts & Sciences,
<https://instructionalinnovation.unc.edu/office-overview/>.
54. Resolution 2016-12. On Commitment to Diversity and Inclusion, Office of Faculty Governance, the University of North Carolina at Chapel Hill (Apr. 15, 2016), <http://facultygov.unc.edu/faculty-council/resolutions/>. (Dkt. 154-33)
55. United States Census Bureau, “American Census Survey Demographic and Housing Estimates, 2012-2016 American Community Survey 5-year Estimates” for North Carolina,
<https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=CF>.

B. Exhibits the Defendant-Intervenors may offer if the need arises (other than solely for impeachment).

56. UNC Admissions Application of Hanna Watson (under seal)

57. Defendant-Intervenors may offer other exhibits identified on the other parties' exhibit lists.

Respectfully submitted this 10th day of April, 2020.

/s/ Reed N. Colfax

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** Special Appearance*

CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2020, I filed a true and correct copy of the foregoing
DEFENDANT-INTERVENORS PRETRIAL DISCLOSURES with the Clerk of Court using
the CM/ECF system.

This 10th day of April, 2020.

/s/ Genevieve Bonadies Torres

Genevieve Bonadies Torres